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United States District Court
Eastern District of Missouri

BY MAIL

Ahmad Britton
Petitioner-Defendant.

V.

United States of America
Respondent-Plaintiff.

Case No. 4:13-CR-00146-CDP-1

AMENDMENT 794 MOTION

COMES NOW petitioner Ahmad Britton ("defendant"),
pro se, and submits this Motion Amendment 794.

The new retroactive amendment held in United States v. Quintero-Leyva, 2016 U.S. App. LEXIS 8989, No. 14-50509 (9th Cir. May 17, 2016) impacts defendant's sentence.

The United States Sentencing Commission and the Ninth Circuit's holding within Quintero-Leyva (2016) impacts defendant's sentence due to the minor role enhancement being applicable to defendant because he was "both less culpable than most other participants in his crime and also less culpable than the majority of those within the universe of persons participating in similar crimes." See United States v. Teeter, 257 F.3d 14, 30-31 (1st Cir. 2001).

The Amendment generally adopted the approach of the Ninth and Seventh Circuits, stating that when a district court conducts an assessment of whether a defendant should receive a role reduction, the defendant is to be compared with the other participants in the crime, not

with a hypothetical average participant. U.S.S.G. App. C. Amend. 794. The Commission explained that "[f]ocusing the court's attention on the individual defendant and the other participants is more consistent with the other provisions of Chapter Three, Part B." See U.S.S.G. App. C. Amend. 794; United States v. Rojas-Millan, 234 F.3d 464, 473 (9th Cir. 2000); United States v. Davis, 938 F.2d 744, 747 (7th Cir. 1991).

3B1.2 On November 1, 2015, the United States Sentencing Commission passed Amendment 794. The Commission did so because, after conducting an independent review, it found that minor role reductions were being "applied inconsistently and more sparingly than the Commission intended." U.S.S.G. App. C. Amend 794.

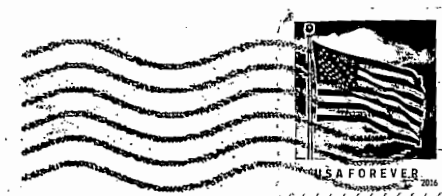
WHEREFORE Defendant ask that this court review defendant's case and grant a minor role reduction to defendant's sentence and resentence to the reflected sentence appropriate with this reduction.

Respectfully,
Ahmad Britton

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